

BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

In the matter of the Joint Application of _____)
_____)
_____)
[d/b/a _____)
_____]("Utility"))
and _____)
_____)
[d/b/a _____)
_____]("Acquirer"))
for approval of the transfer of control of Utility to Acquirer.)
_____)

[Original and nine (9) copies must be filed with a \$200 fee.]

JOINT APPLICATION*

The Joint Application of _____ ("Utility")
and _____ ("Acquirer") (collectively "Joint Applicants")

respectfully shows that Acquirer requests permission to establish service under the provisions of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC"), including but not limited to NRS 704.329.

Joint Applicants state that they have met the requirements of the NRS and NAC regarding the transfer of control as follows:

1. The name of the certificated entity being acquired is _____ ("Utility").
The operating authority for Utility is Certificate of Public Convenience and Necessity ("CPC") _____.

2. The name of the entity acquiring Utility is _____ ("Acquirer").

3. Pursuant to the agreement of Utility and Acquirer attached hereto as Exhibit A, Utility and Acquirer have agreed that Acquirer will gain control of Utility.

4. A **brief** description of the transfer between Utility and Acquirer is attached hereto as Exhibit B.

5. A description of the relationship between Utility and Acquirer prior to the transfer of control, including any applicable organizational charts, is attached hereto as Exhibit C.

6. A description of the relationship between Utility and Acquirer after the transfer of control, including any applicable organization charts, is attached hereto as Exhibit D.

7. Transfer of CPC:
_____ Joint Applicants hereby request Commission approval of the transfer of CPC _____ from Utility to Acquirer, and pursuant to this request, attaches hereto Exhibit E.

OR

_____ Joint Applicants do not request Commission approval of the transfer of CPC _____ to Acquirer.

[If Commission approval of the transfer of certificates is requested, see Exhibit E.]

All of the exhibits attached hereto are in accordance with the applicable sections of the NAC Chapters 703 and 704 containing the Rules of Practice and Procedure before the Public Utilities Commission of Nevada.

WHEREFORE, Joint Applicants request that the Public Utilities Commission of Nevada enter an order granting approval of the transfer of control.

DATED at _____ this ____ day of _____, 20__.

Signature of Attorney for Utility (if any)

Signature of Utility

Signature

Signature

Printed name & title

Printed name & title

Address

Address

City, State, Zip

City, State, Zip

Telephone

Telephone

Fax

Fax

Signature of Attorney for Acquirer (if any)

Signature of Acquirer

Signature

Signature

Printed name & title

Printed name & title

Address

Address

City, State, Zip

City, State, Zip

Telephone

Telephone

Fax

Fax

* Use of this form does not necessarily ensure compliance with all of the Rules of Practices and Procedure of the Commission. It is the Applicant's responsibility to conform to all applicable rules and regulations of the Commission.

OATH

State of _____)
)
County of _____)

[Name of Affiant] _____, being duly sworn, states that he/she files this application as [Indicate relationship to applicant: owner, proprietor, title of officer, member of partnership, or other authorized representative.] _____; that in such capacity, he/she is qualified and authorized to file and verify such application; that he/she has carefully examined all the statements and matters contained in the application; and that all such statements made and matters set forth therein are true and correct to the best of his/her knowledge, information and belief. Affiant further states that the application is made in good faith, with the intention of presenting evidence in support thereof in every particular.

Signature of Affiant

Subscribed and sworn to before me, a Notary Public in and for the State and County named above, this _____ day of _____, 20____.

(SEAL) Notary Public

EXHIBIT E

(Request to Transfer Certificate in Conjunction with Joint Application for Approval of Transfer of Control)

In addition to the foregoing Joint Application for Approval of Transfer of Control, Acquirer states that it has met the requirements of NAC 704.7472 as follows:

- (a) The type of service to be provided is [Check all that apply]:

- resold interexchange
- resold basic
- facilities-based interexchange
- facilities-based basic
- confinement service
- alternative operator service
- resold intraexchange (data only)
- facilities-based intraexchange (data only)

AND

This is the same type of service which is authorized under CPC _____.

Please attach as Exhibit 1 the specific types of telecommunications services you will be offering, such as 1+ services, 800 services, dial around, prepaid or post paid calling card services. If you are applying for facilities-based authority, please include a brief description of the facilities to be installed.

- (b) A copy of Acquirer's most recent annual financial statements [or if annual financial statements are not available, financial statements of the most recent quarterly period] are attached hereto as Exhibit 2.
- (c) A copy of the certificate issued by the secretary of state of the State of Nevada which acknowledges that Acquirer has filed its articles of incorporation with the secretary of state is attached hereto as Exhibit 3.
- (d) Performance bond:

Acquirer is exempt from paying a performance bond because it will not offer prepaid service nor require customer deposits or advance payments.

OR

Acquirer will offer prepaid services and require advance payments or deposits and is attaching hereto as Exhibit 4 proof that a performance bond has been obtained for \$1,000 if Acquirer will provide interexchange service only, or \$5,000 if Acquirer will provide basic service. (Failure to maintain the bond is grounds for cancellation of the Certificate of Public Convenience and Necessity)

- (e) The toll-free telephone number that customers will be given for contacting Acquirer regarding the establishment of service, complaints, and queries about service and billing, and all other customer service matters is: _____.
- (f) Facts sufficient to establish that Acquirer possesses the necessary technical capability to provide the proposed service are attached hereto as Exhibit 5.

(g) Switched service:

___ Acquirer does not intend to provide switched service within an exchange.

OR

___ Acquirer will provide switched service within an exchange and hereby affirms that it will provide basic service to its customers.

(h) Assumed or Fictitious Name:

___ Applicant is not doing business and does not intend to do business in this state under an assumed or fictitious name.

OR

___ Applicant is doing business or intends to do business in this state under an assumed or fictitious name. Accordingly, attached hereto as Exhibit 5 is an affidavit stating the names of the counties in this state in which Applicant is or intends to do business in using an assumed or fictitious name. Also, attached hereto as Exhibit 6 is a copy of each certificate that the provider has filed or intends to file pursuant to chapter 602 of the Nevada Revised Statutes (“NRS”) with the county clerk of each county in which the provider is doing business or intends to do business, or a statement that conforms to the requirements of NRS 602.020, if the provider is not otherwise subject to the provisions of chapter 602 of the NRS.

- IV. A declaration by the applicant, petitioner, or complainant whether a consumer session is required by [Nevada Revised Statute \(“NRS”\) 704.069 \(1\)](#). NAC 703.162 (2)¹
- V. If the draft notice pertains to a tariff filing, please include the tariff number **and** the section number(s) or schedule number(s) being revised.

¹ **NRS 704.069 Commission required to conduct consumer session for certain rate cases; Commission required to conduct general consumer session annually in certain counties.**

1. The Commission shall conduct a consumer session to solicit comments from the public in any matter pending before the Commission pursuant to [NRS 704.061](#) to [704.110](#), inclusive, in which:

(a) A public utility has filed a general rate application, an application to recover the increased cost of purchased fuel, purchased power, or natural gas purchased for resale or an application to clear its deferred accounts; and

(b) The changes proposed in the application will result in an increase in annual gross operating revenue, as certified by the applicant, in an amount that will exceed \$50,000 or 10 percent of the applicant’s annual gross operating revenue, whichever is less.

2. In addition to the case-specific consumer sessions required by subsection 1, the Commission shall, during each calendar year, conduct at least one general consumer session in the county with the largest population in this state and at least one general consumer session in the county with the second largest population in this state. At each general consumer session, the Commission shall solicit comments from the public on issues concerning public utilities. Not later than 60 days after each general consumer session, the Commission shall submit the record from the general consumer session to the Legislative Commission.